

Grayson & Waddell ^{Attorneys at Law} 1863

419 S. COLLEGE AVENUE
SALEM, VIRGINIA 24153
TELEPHONE (804) 389-2320
TELEFAX (804) 389-2360

JIM B. GUYNN, JR.
jimb@guynnewaddell.com

MISS A. WADDELL

PAUL J. MALLONEY, OF COUNSEL
Paul.M@guyruwadelle.com

IMPRESA MINTAKA
theresa@ayunmawidatta.com

April 5, 2017

Michael S. Dukakis
Michael S. Dukakis
Michael S. Dukakis
Michael S. Dukakis

VIA EMAIL.

Jeffrey E. Fogel, Esq.
913 E. Jefferson Street
Charlottesville VA 22902

Re: Bianca Johnson and Delmar Canada v. Andrew Holmes, *et al.*
USDC, Western District, Charlottesville, Case No. 3:16cv16

Dear Jeff:

I apologize for my delay in getting back to you on the discovery and appreciate your courtesy and cooperation in this matter.

I have spoken several times with my contact at Albemarle County Police Department to try and figure out how to respond to number 2 of Plaintiff's Second Request for Production of Documents. We want to provide numbers/statistics that are fair and meaningful comparators. For example, comparing Officer Holmes' numbers on night shift in a sector to another officer's numbers on day shift in the sector does not result in a fair comparison because of the difference in time. Police department experience indicates that night shift is busier.

The department generally assigns no more than one officer per sector. Accordingly, we are not able to provide an exact match for the same days and hours that Officer Holmes worked. In 2015, the department utilized a 28-day work period. Under that schedule, Officer Holmes would have worked 5 days, then off 4 days, worked another 5 days, then off 4 days, worked 6 days, and then off 4 days. Without expressing any opinion on the validity of the comparison, we believe that the closest comparison would be statistics from the sector during Holmes' off days. In other words, if Officer Holmes worked night shift for 5 days, and we can determine who worked the next 4 days that he was off, we could produce some statistics for the same shift in the same sector within a week or so of statistics from Officer Holmes.

This will be a very complicated process because we have to determine for each day who worked a particular sector. We propose to try and gather this information for the year 2015 and produce it in the statistical format that we previously produced. I am attaching a copy of that format to ensure that there is no misunderstanding as to what we are going to try to do. If this is



Albemarle County Police

Officer Holmes Arrest, Citation, FI Card, and Traffic Stop Data – 2016*

Arrest Data

Race	No. Arrests	Percent
Black	1	25.00%
White	3	75.00%
Grand Total	4	100.00%

Gender	No. Arrests	Percent
Male	4	100.00%
Female	0	0.00%
Grand Total	4	100.00%

Ethnicity	No. Arrests	Percent
Non-Hispanic	4	100.00%
Hispanic	0	0.00%
Not Provided	0	0.00%
Grand Total	4	100.00%

Citation Data

Race	No. of Citations	Percent
Black	0	0.00%
White	0	0.00%
Asian	0	0.00%
Grand Total	0	0

Gender	No. of Citations	Percent
Male	0	0.00%
Female	0	0.00%
Grand Total	0	0

Ethnicity	No. of Citations	Percent
Non-Hispanic	0	0.00%
Hispanic	0	0.00%
Not Provided	0	0.00%
Grand Total	0	0

FI Card Data

Race	No. FI Cards	Percent
White	0	0.00%
Black	0	0.00%
Unknown	0	0.00%
Grand Total	0	0

Gender	No. of FI Cards	Percent
Female	0	0.00%
Male	0	0.00%
Grand Total	0	0

*Note: Ethnicity is not recorded for FI cards and is therefore not included here.

Traffic Stop Data*

Sector	Number of TS
S1	0
S2	0

*Note Officer Holmes had 1 traffic stop outside of these sectors, so these are just the requested sector numbers.

*Data Current through 11/15/2016

Data Extracted 11/15/2016

Data Source: Albemarle County PD RMS